

REMARKS

The Office Action dated July 15, 2003 presents the examination of claims 1-8. Claims 1, 4, and 7 are amended. Claim 9 is added. Support for claim 9 is found in claims 1, 2, and 4. No new matter is inserted into the application.

Information Disclosure Statement

Applicants filed an Information Disclosure Statement (IDS) in the United States Patent and Trademark Office on October 15, 2001. The Examiner is respectfully requested to consider the reference disclosed therein, and initial and return the form PTO-1449 to Applicants as evidence of his consideration. A copy of the form PTO-1449 is attached hereto for the Examiner's convenience.

Priority

The Examiner asserts that no claim for foreign priority has been made. Applicants respectfully disagree. The Combined Declaration and Power of Attorney filed by Applications on May 8, 2002 clearly claims priority to foreign application MI98A002332 filed in Italy on October 30, 1998. The Examiner is respectfully requested to acknowledge foreign priority and make said priority of record in the present application.

Specification

The Examiner points out several errors in the specification that are in need of correction. Applicants amend the specification in accordance with the Examiner's remarks. Specifically, an abstract is added on a separate sheet attached hereto, a page number is added to page 1 of the specification, the WO application number and PCT number are deleted from every page, the terms "Druckexemplar" and "Amended Sheet" are deleted from pages 11 and 11-12, respectively, the colon after the term "wherein" is deleted from page 1, line 13, and finally, the verb "were" is changed to "was" on page 8, line 18.

Claim Objections

The Examiner objects to claims 1, 4, and 7 for minor informalities. Applicants amend the claims in accordance with the Examiner's suggestions. Thus, the instant objection is overcome.

Rejection under 35 U.S.C. § 112, second paragraph

The Examiner rejects claim 1 under 35 U.S.C. § 112, second paragraph for allegedly being indefinite. Applicants respectfully traverse. Reconsideration of the claims and withdrawal of the instant rejection are respectfully requested.

Specifically, the Examiner asserts that the claim does not describe how compounds of formula (II) are turned into compounds of formula (III), nor how compounds of formula (IIIc) are turned into compounds of formula (I).

Step (a) of claim 1 is amended to recite the reaction of compounds of formula (II) with a thiocarbonyl halide to give compounds of formula (III). Support for thiocarbonyl halide is found in the thiocarbonyl-derivatives of claims 2 and 4. Step (d) of claim 1 is amended to recite "hydrolysis of (IIIc) and optional subsequent reesterfication or salification to give (I). Support for this amendment is found on page 6, lines 7-10 of the specification.

Applicants respectfully submit that claim 1 particularly points out and distinctly claims the subject matter which is the present invention. Withdrawal of the instant rejection is therefore respectfully requested.

Conclusion

Applicants respectfully submit that the above remarks and/or amendments fully address and overcome and/or render moot the rejections/objections of record. The present application is in

condition for allowance. The Examiner is respectfully requested to issue a Notice of Allowance indicating that claims 1-9 are allowed.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Kristi L. Rupert, Ph.D. (Reg. No. 45,702) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to the provisions of 37 C.F.R. §§ 1.17 and 1.136(a), the Applicants hereby petition for an extension of two (2) months to December 15, 2003, in which to file a reply to the Office Action. The required fee of \$210.00 is enclosed herewith.

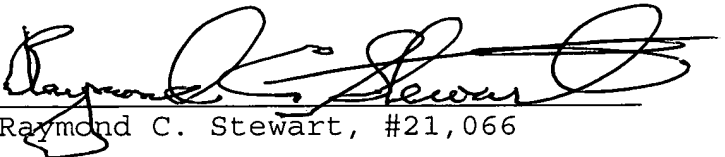
If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees

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required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of
time fees.

Respectfully submitted,

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By 
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Attachment(s): Abstract
October 15, 2001 PTO-1449 Form

Form PTO-1449

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(Use several sheets if necessary)

 ATTY DOCKET NO.
0471-0260P

 APPLICATION
NO.
09/830,449

 APPLICANT
Marcello ALLEGRETTI et al.

 FILING DATE
April 27, 2001

 GROUP
Unassigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	McKay et al., <i>Can. J. Chem.</i> , 38, pp.2042-52 (1960)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.